

TERMINATED

**U.S. District Court
District of Oregon (Eugene)
CIVIL DOCKET FOR CASE #: 6:09-cv-06019-AA**

Forest Service Employees for Environmental Ethics v. U.S. Fish
and Wildlife Service et al

Assigned to: Chief Judge Ann L. Aiken

Cause: 05:552 Freedom of Information Act

Date Filed: 01/15/2009

Date Terminated: 09/21/2009

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

**Forest Service Employees for
Environmental Ethics**

represented by **Erin Madden**
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V.

Defendant

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Defendant

U.S. Department of Interior

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Kevin C. Danielson
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Defendant

Bureau of Land Management

represented by **Brian M. Collins**
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Date Filed	#	Docket Text
01/15/2009	<u>1</u>	Complaint for Declaratory and Injunctive Relief (Freedom of Information Act). Filing Fee in amount of \$350 collected. Receipt No. 24864 issued Summons issued as to US Department of the Interior, US Attorney General, US Fish and Wildlife Service, US Attorney. Jury Trial Requested: No. Filed by Forest Service Employees for Environmental Ethics against U.S. Fish and Wildlife Service, U.S. Department of Interior. (cp) (Entered: 01/22/2009)
01/22/2009	<u>2</u>	Discovery and Pretrial Scheduling Order and Notice of Case Assignment to Judge Ann L. Aiken. Discovery is to be completed by 5/26/2009. Joint Alternate Dispute Resolution Report is due by 6/24/2009. Pretrial Order is due by 6/24/2009. Ordered by Judge Ann L. Aiken. (cp) (Entered: 01/22/2009)
01/22/2009	<u>3</u>	Certificate of Service by Forest Service Employees for Environmental Ethics Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 01/22/2009)
01/22/2009	<u>4</u>	First Amended Complaint. Filed by Forest Service Employees for Environmental Ethics against all defendants. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7) (Madden, Erin) (Entered: 01/22/2009)

01/23/2009		Summons Issued as to Bureau of Land Management (cp) (Entered: 01/23/2009)
01/23/2009	<u>5</u>	Certificate of Service by Forest Service Employees for Environmental Ethics Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 01/23/2009)
01/26/2009	<u>6</u>	Order Granting Application for Special Admission Pro Hac Vice of Timothy M. Bechtold for Forest Service Employees for Environmental Ethics. Application Fee in amount of \$100 collected. Receipt No. 24864 issued. Signed on January 26, 209 by Magistrate Judge Thomas M. Coffin. (cp) (Entered: 01/27/2009)
01/29/2009	<u>7</u>	Certificate of Service by Forest Service Employees for Environmental Ethics Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 01/29/2009)
01/29/2009	<u>8</u>	Return of Service Executed. as to U.S. Fish and Wildlife Service served on 1/15/2009; U.S. Department of Interior served on 1/15/2009 Service specifically made upon Local US Attorney Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 01/29/2009)
02/06/2009	<u>9</u>	Return of Service Executed. Service specifically made upon Agency Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 02/06/2009)
02/06/2009	<u>10</u>	Return of Service Executed. Service specifically made upon US Attorney General Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 02/06/2009)
02/06/2009	<u>11</u>	Return of Service Executed. Service specifically made upon Agency Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 02/06/2009)
02/13/2009	<u>12</u>	Unopposed Motion for Extension of Time to Answer. Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Danielson, Kevin) (Entered: 02/13/2009)
02/16/2009	<u>13</u>	Notice of Appearance of Brian M. Collins appearing on behalf of Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. Filed by on behalf of Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Collins, Brian) (Entered: 02/16/2009)
02/17/2009	<u>14</u>	ORDER: Granting Defendants' Unopposed Motion for Extension of Time to 3/17/09 to Answer <u>12</u> . Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 02/17/2009)
02/24/2009	<u>15</u>	Return of Service Executed. as to Bureau of Land Management served on 1/29/2009 Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 02/24/2009)
03/10/2009	<u>16</u>	Joint Stipulation <i>and Proposed Order regarding Plaintiff's Amended Complaint and Extension of Time for Defendant's Responsive Pleading</i> by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Collins, Brian) (Entered: 03/10/2009)
03/11/2009	<u>17</u>	ORDER: Granting Stipulation Re: Plaintiff's Amended Complaint and Extension of Time for Defendants' Responsive Pleading <u>16</u> . Amended complaint due 3/17/09. Defendant's answer due 5/18/09. Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 03/11/2009)
03/13/2009	<u>18</u>	Second Amended Complaint. Filed by Forest Service Employees for Environmental Ethics against all defendants. (Attachments: # <u>1</u> Exhibit #1, # <u>2</u> Exhibit #2, # <u>3</u> Exhibit #3, # <u>4</u> Exhibit #4, # <u>5</u> Exhibit #5, # <u>6</u> Exhibit #6, # <u>7</u> Exhibit #7) (Bechtold, Timothy) (Entered: 03/13/2009)
05/15/2009	<u>19</u>	Stipulated Motion for Extension of Time to Answer Amended Complaint, <u>18</u> . Filed by all defendants. (Collins, Brian) (Entered: 05/15/2009)

05/18/2009	20	ORDER: Granting Stipulation to Extend Time for Defendants' Responsive Pleading <u>19</u> . Answer is due by 7/20/2009. Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 05/18/2009)
06/26/2009	21	Scheduling Order by Chief Judge Ann L. Aiken: On the court's own motion, ordered date for completion of discovery is extended to 9/21/2009. Joint Alternate Dispute Resolution Report is due by 10/20/2009. Pretrial Order is due by 10/20/2009. Dispositive Motions are due and experts are to be disclosed by 9/21/2009. Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 06/26/2009)
07/20/2009	<u>22</u>	Unopposed Motion for Extension of Time to Answer. Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Danielson, Kevin) (Entered: 07/20/2009)
07/20/2009	<u>23</u>	Motion to Dismiss for Lack of Jurisdiction (<i>Mootness</i>). Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Attachments: # <u>1</u> Mem. In Support of Def.'s Mot. to Dismiss In Part Pl.'s Second Am. Compl., # <u>2</u> Exhibit A to Mem. in Support of Def.'s Mot. to Dismiss (Farquhar Memo), # <u>3</u> Proposed Order) (Collins, Brian) (Entered: 07/20/2009)
07/21/2009	24	ORDER: Granting Defendants' Unopposed Motion for Extension of Time to Answer <u>22</u> . Answer is due by 8/19/2009. Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 07/21/2009)
07/31/2009	<u>25</u>	Stipulated Motion for Extension of Time to File a Response/Reply to Motion to Dismiss for Lack of Jurisdiction (<i>Mootness</i>) Motion to Dismiss for Lack of Jurisdiction (<i>Mootness</i>) <u>23</u> . Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 07/31/2009)
08/03/2009	26	ORDER: Granting Stipulated Motion for Extension of Time to File Response <u>25</u> to Motion to Dismiss <u>23</u> . Response is due by 8/19/2009. Ordered by Chief Judge Ann L. Aiken. (cp) (Entered: 08/03/2009)
08/13/2009	<u>27</u>	Joint Stipulation of <i>Dismissal</i> by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Danielson, Kevin) (Entered: 08/13/2009)
08/13/2009	<u>28</u>	Joint Proposed Form of Order Submitted <i>Joint Stipulation to Extend Deadlines; [Proposed Order]</i> . Filed by Bureau of Land Management, U.S. Fish and Wildlife Service, U.S. Department of Interior. (Danielson, Kevin) (Entered: 08/13/2009)
08/24/2009	<u>29</u>	Order to Extend Deadlines: Defendant's Answer regarding the remaining FOIA claims is deferred to and including September 18, 2009. Signed on August 24, 2009 by Chief Judge Ann L. Aiken. (cp) (Entered: 08/25/2009)
09/18/2009	<u>30</u>	Joint Stipulation of <i>Dismissal</i> by all defendants. Filed by all defendants. (Collins, Brian) (Entered: 09/18/2009)
09/18/2009	<u>31</u>	Joint Stipulation <i>Regarding Attorney's Fees</i> by all defendants. Filed by all defendants. (Collins, Brian) (Entered: 09/18/2009)
09/21/2009	32	ORDER: Defendants' Motion to Dismiss Case for Lack of Jurisdiction <u>23</u> is denied as moot. The parties' Joint Stipulation Regarding Attorney's Fees <u>31</u> is granted. Ordered by Chief Judge Ann L. Aiken. (lae) (Entered: 09/21/2009)
09/21/2009	<u>33</u>	Judgment: Plaintiff's NEPA and ESA claims are dismissed without prejudice. Plaintiff's FOIA claim is dismissed with prejudice. This action is dismissed in its entirety. Dated September 21, 2009 by Deputy Clerk, Leslie Engdall. (cp) (Entered: 09/21/2009)
09/29/2009	<u>34</u>	Notice of Change of Address <i>for Attorney Erin Madden</i> . Filed by Forest Service Employees for Environmental Ethics. (Madden, Erin) (Entered: 09/29/2009)
10/13/2009	<u>35</u>	Joint Stipulation <i>and Proposed Order Regarding Attorney's Fees</i> by all defendants. Filed by all defendants. (Collins, Brian) (Entered: 10/13/2009)
10/20/2009	<u>36</u>	Order on Stipulation and Order Regarding Attorney's Fees <u>35</u> . Signed on October 20, 2009 by Chief Judge Ann L. Aiken. (cp) (Entered: 10/22/2009)

11/18/2009	<u>37</u>	Joint Stipulation <i>and Proposed Order Regarding Settlement of Attorney's Fees</i> by all defendants. Filed by all defendants. (Collins, Brian) (Entered: 11/18/2009)
12/08/2009	<u>38</u>	Joint Stipulation and Order Regarding Settlement of Attorney's Fees. Signed on December 8, 2009 by Chief Judge Ann L. Aiken. (cp) (Entered: 12/10/2009)